



CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

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THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed September 8, 2021


United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

IN RE:

NIEMAN PRINTING, INC.

Debtor.

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§

CASE NO. 21-31134-SGJ-11

Chapter 11(V)

ORDER CONVERTING CASE TO CHAPTER 7

Upon consideration of the record in this matter, including, but not limited to the information presented by Areya Holder Aurzada, the appointed Subchapter V Trustee with expanded powers (the "Trustee"), at an expedited status conference held on September 8, 2021 (the "Hearing") regarding the deteriorating financial condition of the Debtor, and the arguments presented by counsel to various parties in interests at the Hearing, and for the reasons stated on the record by the Court at the Hearing, which are incorporated herein, the Court finds that (i) the

Trustee's motion to convert [Dkt. 111] is currently pending before this Court and is set for hearing on September 28, 2021 at 1:30 p.m., (ii) pursuant to its authority under 11 U.S.C. § 105(a), this Court may *sua sponte* convert this case from Chapter 11 to Chapter 7, (iii) cause exists under 11 U.S.C. § 1112(b) to convert this case from Chapter 11 to Chapter 7 immediately, including pursuant to 11 U.S.C. § 1112(b)(4)(A) because of a "substantial or continuing loss to or diminution of the estate and the absence of a reasonable likelihood of rehabilitation," pursuant to 11 U.S.C. § 1112(b)(4)(B) because of Debtor's "gross mismanagement of the estate," pursuant to 11 U.S.C. § 1112(b)(4)(E) because of Debtor's "failure to comply with an order of the court," and pursuant to 11 U.S.C. § 1112(b)(4)(H) because of "failure timely to provide information...reasonably requested by [the Trustee]," (iv) conversion is in the best interests of the creditors of the estate, (v) there is no reasonable likelihood that a plan will be confirmed within a reasonable period of time, and (vi) there are no unusual circumstances that establish that conversion is not in the best interests of creditors and the estate. Accordingly, it is **THEREFORE**

ORDERED that this case is hereby converted to Chapter 7 of the Bankruptcy Code *sua sponte* this 8th day of September, 2021 in accordance with 11 U.S.C. § 1112; and it is further

ORDERED that the Trustee is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order, including an orderly shutdown of the Debtor's business operations and the issuance of final payroll checks; and it is further

ORDERED that the Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

##END OF ORDER##